



**A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred,  
NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied**

## **ACTION AGENDA**

Hickory City Council  
76 North Center Street

August 3, 2021  
7:00 p.m.

- I. Call to Order
- II. Invocation by Reverend David Roberts, Morning Star First Baptist Church
- III. Pledge of Allegiance
- IV. Special Presentations
  - A. Recognition of the Catawba Valley Youth Soccer Association 04 Blast Blue Girls Team National Champions  
  
Coach Jeff Schellenberger discussed the turf fields at Henry Fork Soccer Complex noting how they had played a significant role with the team. He introduced the 04 Blast Blue Girls Team who were the National Champions.
- V. Persons Requesting to Be Heard
  - A. Dalton Childress, 1675 Richey Road, Taylorsville, NC regarding Highland Recreation Skate Park.  
  
Dalton Childress addressed Council to request allowing BMX bicycles in Stanford Skate Park.
- VI. Approval of Minutes
  - A. Regular Meeting of July 20, 2021. **(Exhibit VI.A.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
  - A2** A. Budget Revision Number 1. **(First Reading Vote: Unanimous)**
  - A2** B. Consideration of Rezoning Petition 21-02 of Property Owned by REC Group LLC and RECL NC LLC, Containing Approximately 137.299 acres of Property, Located between Short Road and Eller Drive, Identified as PINs 3711-1684-4173, 3711-1961-5646, 3711-1962-2278, 3711-1962-8108, 3711-1672-6809, 3711-1683-7965, and 3711-1684-9988. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
  - A1** A. Approval of the Implementation of a Speed Limit Reduction to 25 MPH along 15<sup>th</sup> Avenue NW between 6<sup>th</sup> Street NW and 4<sup>th</sup> Street Drive NW. **(Exhibit VIII.A.)**

Staff requests Council's approval to implement a speed limit reduction to 25mph along 15<sup>th</sup> Avenue NW between 6<sup>th</sup> Street NW and 4<sup>th</sup> Street Drive NW. City Council implemented a Neighborhood Traffic Calming Program that enables citizens to request measures to improve traffic safety in the area where they own property. Citizens are required to apply to request measures and provide a reason for the request. Then, the City performs analysis to determine what, if any, measures are warranted. Citizens requesting traffic calming measures are required to complete and submit a petition with 75 percent of properties in favor of implementation for the request to move forward. Traffic Division Staff received the completed petition from property owners along 15<sup>th</sup> Avenue NW from 6<sup>th</sup> Street NW to 4<sup>th</sup> Street Drive NW with regards to the Neighborhood Traffic Calming Program and have found the property owners to be in compliance with the guidelines. The petition does qualify for a speed limit reduction to 25mph. Twenty-Four properties were included in the petition and eighteen properties signed in favor of implementation. This represents at least 75 percent approval, which meets the requirement. The necessary sign modifications along the roadway can be performed as a normal part of the Traffic Division's signs/markings shop operations. Staff recommends Council's approval to implement a speed limit reduction to 25mph along 15<sup>th</sup> Avenue NW between 6<sup>th</sup> Street NW and 4<sup>th</sup> Street Drive NW.

- A B. Approval of the Implementation of an All-Way Stop at the Intersection of 19<sup>th</sup> Avenue NE at 15<sup>th</sup> Street NE. **(Exhibit VIII.B.)**

Staff requests Council's approval to implement an all-way stop at the intersection of 19<sup>th</sup> Avenue NE at 15<sup>th</sup> Street NE. City Council implemented a Neighborhood Traffic Calming Program that enables citizens to request measures to improve traffic safety in the area where they own property. Citizens are required to apply to request measures and provide a reason for the request. Then, the City performs analysis to determine what, if any, measures are warranted. Citizens requesting traffic calming measures are required to complete and submit a petition with 75 percent of properties in favor of implementation for the request to move forward. Traffic Division Staff received the completed petition from property owners along 19<sup>th</sup> Avenue NE from 8<sup>th</sup> Street Drive NE to 16<sup>th</sup> Street NE, along 20<sup>th</sup> Avenue NE and 15<sup>th</sup> Street NE from 8<sup>th</sup> Street Drive NE to 19<sup>th</sup> Avenue NE, and along 19<sup>th</sup> Avenue Place NE with regards to the Neighborhood Traffic Calming Program and have found the property owners to be in compliance with the guidelines. The petition does qualify for an all-way stop at the location of 19<sup>th</sup> Avenue NE at 15<sup>th</sup> Street NE. Seventy-Three (73) properties were included in the petition and fifty-five properties signed in favor of implementation. This represents at least 75 percent approval, which meets the requirement. The necessary sign modifications along the roadway can be performed as a normal part of the Traffic Division's signs/markings shop operations. Staff recommends Council's approval to implement an all-way stop at the intersection of 19<sup>th</sup> Avenue NE at 15<sup>th</sup> Street NE.

- A C. Approval of the Issuance of a Pyrotechnic Display Permit to Starfire Pyrotechnics for a Fireworks Display at Hickory Motor Speedway. **(Exhibit VIII.C.)**

Staff requests approval to issue a pyrotechnic display permit to Starfire Pyrotechnics for fireworks display at the Hickory Motor Speedway for Saturday, August 21, 2021 (rain date, Sunday, August 22, 2021). Kevin Piercy, General Manager of the Hickory Motor Speedway, has submitted a request to obtain permission to conduct a public fireworks display. The North Carolina Fire Code requires an operational permit for the use and handling of pyrotechnic special effects material. The Hickory Fire Department Fire & Life Safety Division shall review all required documentation for the event, including Alcohol Tobacco and Firearm's (ATF) License, Operator and Assistant Operators Permits from North Carolina Office of State Fire Marshal (NCOSFM), Site Plan, and the one million dollar liability insurance policy. The Fire & Life Safety Division will also inspect the pyrotechnics display area before the event to ensure compliance with NCOSFM Guidelines, National Fire Protection Association (NFPA) NFPA 1123 Code for Fireworks Display, and NFPA 1126 Use of Pyrotechnics Before a Proximate Audience (if applicable). Staff recommends approval of the above pyrotechnics displays.

- A1 D. Budget Revision Number 24. **(Exhibit VIII.D.)**

1. To correct \$305,855 in duplicate fund appropriations that were present in Budget Revision 21 and Budget Revision 22 in FY 2020-2021.

**A1 E. Budget Revision Number 2. (Exhibit VIII.E.)**

1. To appropriate a total of \$59,000 in Community Development Block Grant - COVID 19 (CDBG-CV) funds towards the Neighborhood Engagement Financial Program administered by Greater Hickory Cooperative Christian Ministry. These CARES Act funds were originally budgeted to be used for staff administration costs. As the funding nears its end, staff administration time has been reduced. This will allow funds to be appropriated directly towards the emergency payment program instead.

**IX. Items Removed from Consent Agenda – None**

**X. Informational Item**

**XI. New Business:**

**A. Public Hearings**

- A**
1. Consideration of a Voluntary Contiguous Annexation of Property Owned by Kermit L. Eckard, and Donald Kevin Eckard, Containing Approximately 1.44 acres of Property, located at 2630 25<sup>th</sup> Street NE, Hickory, Identified as PIN 3724-18-30-0717 – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.1.)**

*Staff requests Council's consideration of the voluntary contiguous annexation of 1.44 acres of property located at 2630 25<sup>th</sup> Street NE. This property is identified as PIN 3724-18-30-0717. The Eckard's have petitioned for the voluntary contiguous annexation of 1.44 acres of property located at 2630 25<sup>th</sup> Street NE. The property is currently located within the City's ETJ and zoned Residential – 2 (R-2). The annexation is being requested to connect to the City's sewer system. Under the current zoning the property can be developed for single-family residential uses at a density of four dwelling units per acre. Given the current zoning, the property could theoretically yield four dwelling units; however, the property lacks adequate street frontage for more than two lots, and an existing single-family home is located on the property. The current tax value of the property is \$126,300. If annexed with its present value, the property would generate additional tax revenues of \$792.50. This number was generated using the FY 21/22 tax rate of \$0.6275. Upon analysis, staff has determined the petition meets the statutory requirements for voluntary contiguous annexation, and adequate public services are available. Staff finds the petition to be in conformity with applicable statutes and recommends approval of the petition.*

*This public hearing was advertised in a newspaper having general circulation in the Hickory area on July 23, 2021.*

- A**
2. Consideration of the Community Development Block Grant 2019 Annual Action Plan Amendment for CARES Act Funding – Presentation by Community Development Manager Karen Dickerson. **(Exhibit XI.A.2.)**

*Staff requests Council's consideration of the Community Development Block Grant (CDBG) 2019 Annual Action Plan Amendment for CARES Act Funding. The Coronavirus Aid, Relief and Economic Securities Act (CARES Act) made available two billion dollars in supplemental CDBG funding for grants to prevent, prepare for, and respond to coronavirus. Per the US Department of Housing and Urban Development (HUD), grantees of the Community Development Block Grant may use funds for a range of eligible activities that plan for, prevent, and respond to the spread of infectious diseases such as the coronavirus. The City of Hickory has*

received \$468,830 in Community Development Block Grant COVID-19 (CDBG-CV) funds to be used specifically to deal with the coronavirus (COVID-19) outbreak. The third 2019 Annual Action Plan Amendment will be submitted to the U.S. Department of Housing and Urban Development upon approval by Council. This plan serves as the City's strategy for administering 2019 amended CDBG-CV federal funds to plan for, prevent, and respond to the coronavirus and COVID-19. The original budget of these funds included \$66,343 for CDBG-CV Program Administration and \$402,487 for emergency assistance payments through a local non-profit partner agency. As we near the end of this funding, staff administration time for this grant is reduced. City Staff recommends amending the Annual Action Plan to reflect a move in funding from the CDBG-CV Program Administration to the CDBG-CV Public Service Activities to allow continued emergency assistance to citizens who are still dealing with the effects of COVID-19. In order to move these funds, it is necessary to amend the 2019 Annual Action Plan. Decrease 2019 CDBG-CV Program Administration \$59,000. Increase GHCCM Neighborhood Engagement Financial Aid Program \$59,000. Staff recommends City Council's approval of the 2019 Annual Action Plan Amendment.

B. Departmental Reports

- NA 1. Update on Catawba County's Workforce – Presentation by Catawba County Economic Development Corporation President Scott Millar.
- A 2. Appointments to Boards and Commissions

**CITIZENS ADVISORY COMMITTEE**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Small Cities Project Area Grace McLaurin Resigned 7-12-2021 VACANT

**COMMUNITY APPEARANCE COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
At-Large (Outside City but within HRP) (Council Appoints) VACANT

**COMMUNITY RELATIONS COUNCIL**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Caucasian (Council Appoints) Paul Packard  
(Eligible for Reappointment/Willing to Serve Again)  
Caucasian (Council Appoints) David Walker Resigned 7-11-2021 VACANT  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT  
Other Minority (Council Appoints) VACANT  
Differently Abled and is African American or Other Minority (Council Appoints) VACANT  
Differently Abled (Council Appoints) Beth Whicker  
(Not Eligible for Reappointment)

Mayor Guess nominated Paul Packard for Reappointment and Cliff Moone for Appointment as Caucasian Representatives on the Community Relations Council.

**HISTORIC PRESERVATION COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Licensed Architect (Council Appoints) Ernie Sills  
(Not Eligible for Reappointment)  
At-Large (2)(Council Appoints) Mary Moorer  
(Eligible for Reappointment/Does Not Wish to Serve Again)

**LIBRARY ADVISORY BOARD**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)  
Ward 6 (Patton Appoints) Gail Miller  
(Eligible for Reappointment/Does Not Wish to Serve Again)

**PUBLIC ART COMMISSION**

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Ward 4 (D. Williams Appoints)

At-Large (Mayor Appoints)

VACANT

Beth Bowman

(Not Eligible for Reappointment)

**PUBLIC HOUSING AUTHORITY**

(Terms Expiring 6-30; 5-Year Terms) (Appointed by the Mayor)

Position 3 (Mayor Appoints)

VACANT

Position 9 (Mayor Appoints) (Unexpired Term of Rebecca Clements) VACANT

**WESTERN PIEDMONT REGIONAL TRANSIT AUTHORITY POLICY BOARD**

John Marshall – Current Alternate

Recommendation of John Marshall as Alternate Delegate on the Western Piedmont Regional Transit Authority Policy Board.

Mayor Guess nominated John Marshall as Alternated Delegate on the Western Piedmont Regional Transit Authority Policy Board.

**YOUTH COUNCIL**

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Youth Council Applicant Review Committee Recommends the Following Appointments:

Fred T. Foard

VACANT

Homeschool

VACANT

- XII. Matters Not on Agenda (requires majority vote of Council to consider)
- XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature
- XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)
  - 1. *Approval of Closed Session Minutes of July 20, 2021 - NCGS §143-318.11(a)(1)*
  - 2. *Discussion of Pending Opioid Litigation – NCGS §143-318.11(a)(3)*
- XV. Adjournment

**\*Hickory City Code Section 2-56. Public Address to Council:**

**“When conducting public hearings, considering ordinances and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”**

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| <p><b>The City of Hickory holds all public meetings in accessible rooms.<br/>Special requests for accommodation should be submitted by individuals<br/>with disabilities at least 48 hours before the scheduled meeting.<br/>Phone Services (hearing impaired) – Call 711 or 1-800-735-2962</b></p> |
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